

REMARKS

In the Office Action mailed October 23, 2006, the Applicants were advised that they had failed to elect a heparanase of a specific amino acid sequence, identified by a specific SEQ ID NO., and a % homology to said amino acid sequence, as required by the Restriction Office action dated July 6, 2006.

Applicants regret the oversight, and elects human heparanase having sequence as set forth in SEQ ID NO:4, and sequences at least 90% homologous to SEQ ID NO.: 4. Further, Applicants elect 90% homology to the epitope as set forth SEQ ID NO: 9.

In order to expedite the prosecution in this case, Applicants have chosen to amend Claims 1, 5, 6, 9, 35, 59, 63, 64, 67, 93, 117, 120, 130, 133, 151, 178, 188, 191, 208, 233, 236, 237, 241, 248, 255, 256, 260, 267, 268, 271, 274, 279, 280, 283, 291, 294, 295, 299, 311, 312, 318, 321, 326, 338, 339, 345, 359, 360, 364, 367 and 368 to include the limitations of heparanase having amino acid sequence at least 90% homologous to SEQ ID NO: 4, and an epitope having amino acid sequence at least 90% homologous to SEQ ID NO: 9. It is believed that amended Claims 1, 5, 6, 9, 35, 59, 63, 64, 67, 93, 117, 120, 130, 133, 151, 178, 188, 191, 208, 233, 236, 237, 241, 248, 255, 256, 260, 267, 268, 271, 274, 279, 280, 283, 291, 294, 295, 299, 311, 312, 318, 321, 326, 338, 339, 345, 359, 360, 364, 367 and 368, and original claims 19-34, 45, 46, 55-58, 77-92, 113-115, 135-150, 160, 161, 171-175, 192-207, 217-218, 228, 233, 242-247, 249-251, 261-266, 268-270, 281-290, 300-310, 313-317, 327-337, 340-341, 351-353, 355, 365, 369 and 370 are readable on the selected species.

Applicants reserve the right to file, at a later date, additional divisional applications claiming priority from the present application which are directed to the non-elected Group.

PRELIMINARY AMENDMENTS

Applicants have now cancelled Claims 2-4, 7, 8, 10-18, 36-44, 47-54, 60-62, 65, 66, 68-76, 94-112, 118-119, 121-129, 131-132, 134, 152-159, 162-170, 176, 177, 179-187, 189, 190, 209-216, 219-227, 234, 235, 238, 240, 252-254, 257-259, 272, 273, 275-278, 292, 293, 296-298, 319, 320, 322-325, 342-344, 347-349, 356-358 and 361-363. Further, Claims 1, 5, 6, 9, 35, 59, 63, 64, 67, 93, 117, 120, 130, 133, 151, 178, 188, 191, 208, 233, 236, 237, 241, 248, 255, 256, 260, 267, 268, 271, 274, 279, 280, 283, 291, 294, 295, 299, 311, 312, 318, 321, 326, 338, 339, 345, 359, 360, 364, 367 and 368 have now been amended to read on human heparanase and homologs thereof, having at least 90 homology to SEQ ID NO: 4; and epitopes thereof having at least 90% homologous amino acid sequence to that of SEQ ID NO: 4. Support for such an amendment is found throughout the instant specification and claims, for example now cancelled claims 4 and 5, and 14. Thus, the proposed amendments do not constitute introduction of new matter.

Favorable examination is earnestly solicited.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Martin D. Moynihan".

Martin D. Moynihan
Registration No. 40,338

Date: November 22, 2006